

**REMARKS**

Claims 2-37, 41-48, 57, and 64 are pending.

Claims 37-40 and 45-48 were determined to be patentable if rewritten to include all intervening limitations.

Claim 37 has been amended to include the limitations of previous claim 1 and original claim 1 has been cancelled. This places claim 37 into condition for allowance

Claims 2-3 have been amended to depend from claim 37.

Claim 4 has been amended and now has the same limitations as original claim 38.

Claims 5 and 6 are original claims that now ultimately depend from claim 37.

Claim 7 has been amended and now has the same limitations as original claim 39.

Claims 8-12 are original claims that now ultimately depend from claim 37.

Claim 13 has been amended and now has the same limitations as original claim 40.

Claims 14-36 are original claims that now ultimately depend from claim 37.

Claim 38-40 are cancelled in favor of claims 4, 7 and 13, respectively, which are of the same scope as original claims 38-40.

Claim 41 is amended to depend from claim 37.

Claims 42-45 are original and depend from claim 37.

Claims 46-48 are amended and now ultimately depend from claim 37.

Claims 49-56 are cancelled.

Claim 57 is amended to traverse the rejections under 35 U.S.C. 101 and 112.

Claims 58-63 are cancelled.

Claim 64 is amended to traverse the rejections under 35 U.S.C. 101 and 112.

Claims 65 and 66 are cancelled.

Reconsideration in light of the following is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hell et al. (EP 1,113,458) in view of Kano et al. (USP 4,963,751) and Arakawa (USP 4,621,196).

Claim 1 has been cancelled.

Claims 2-6 now depend from claim 37 which is allowable.

The rejection is rendered moot by amendment.

Claims 41-44 and 49-52 are rejected under 35 U.S.C. 103(a) as being anticipated by Hell et al. (EP 1,113,458) and Kano et al. (USP 4,963,751) and Arakawa (USP 4,621,196) in view of Okada et al. (US Pub 2002/0162965).

Claims 41-44 now depend from claim 37.

Claims 49-52 are cancelled. The rejection is rendered moot.

Claim Rejections Under 35 U.S.C. § 112

Claims 53-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 53-56, 58-63, 65 and 66 are cancelled.

Claims 57 and 64 are amended to overcome the rejection.

The rejection is rendered moot.

#### Claim Rejections Under 35 U.S.C. § 101

Claims 53-66 are rejected under 35 U.S.C. 101, because the claims recite a use without setting forth any steps involved in the process.

Claims 53-56, 58-63, 65 and are cancelled.

Claims 57 and 64 are amended to overcome the rejection.

The rejection is rendered moot.

#### Allowable Subject Matter

Claims 37-40 and 45-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

As set forth above claim 37 has been amended to independent form including all limitations of the base claim. Claims 38-40 have been cancelled in favor of claims 4, 7 and 13 respectively which are of the same scope as original claims 38-40.

Claim 45 is as originally filed and the scope is as originally filed.

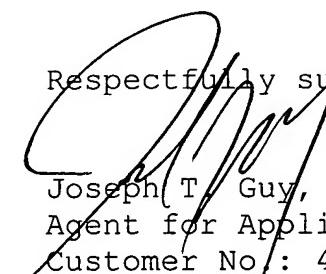
Claims 46-48 are amended to depend from claims 4, 7 and 13 which maintains the original scope.

All claims now ultimately depend from allowable claim 37.

#### **CONCLUSIONS**

Claims 2-37, 41-48, 57, and 64 are pending. All pending claims are believed to be in condition for allowance. Notice thereof is earnestly solicited.

November 9, 2006

Respectfully submitted,  
  
Joseph T. Guy, Ph.D.  
Agent for Applicants  
Customer No.: 46591